



PCT S#2
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09/926431

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

SAMAL, et al.

Confirmation No.: 2502

Application No.: 09/926,431

Attorney Dkt. No.: 108172-00070

Filed: October 31, 2001

For: PRODUCTION OF NOVEL NEWCASTLE DISEASE VIRUS STRAINS FROM cDNAs AND IMPROVED LIVE ATTENUATED NEWCASTLE DISEASE VACCINES

RESPONSE TO NOTICE TO FILE MISSING PARTS

ATTN - BOX MISSING PARTS

Commissioner for Patents
Washington, D.C. 20231

March 6, 2002

Sir:

In response to the Notice to File Missing Parts of Application dated January 17, 2002 (copy attached), the following are enclosed:

- \$65 as payment of the small entity surcharge for the Notice to File Missing Parts;
- Originally-executed Declaration/Power of Attorney;
- Originally executed Assignment with Form PTO-1595; and
- \$40.00 as payment for the recordation of the Assignment.

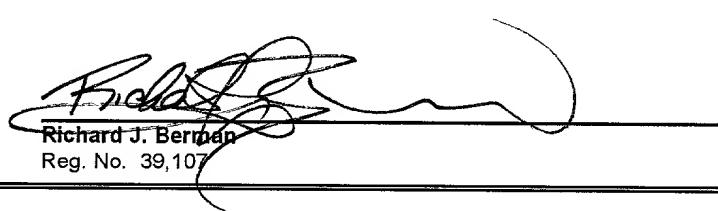
The Examiner is respectfully requested to acknowledge that all of the requirements of 35 U.S.C. §111 have been met.

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FORM PTO-1390 (REV 5-93)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY DOCKET NO. 10P172-00070
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		Date: October 31, 2001
		U.S. APPLN. NO. (IF KNOWN, SEE 37 C.F.R. 1.5) not yet assigned 09/926431
INTERNATIONAL APPLICATION NO. PCT/US00/06700	INTERNATIONAL FILING DATE May 5, 2000	PRIORITY DATE CLAIMED May 5, 1999
TITLE OF INVENTION: PRODUCTION OF NOVEL NEWCASTLE DISEASE VIRUS STRAINS FROM cDNAs AND IMPROVED LIVE ATTENUATED NEWCASTLE DISEASE VACCINES		
APPLICANT(S) FOR DO/EO/US: Siba K. SAMAL and Peter L. COLLINS		
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. (THE BASIC FILING FEE IS ATTACHED)</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This express request to begin national examination procedures [35 U.S.C. 371(f)] at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</p> <p>4. <input checked="" type="checkbox"/> A proper demand for International Preliminary Amendment was made by the 19th month from the earliest claimed priority date.</p> <p>5. <input type="checkbox"/> A copy of the International Application as filed [35 U.S.C. 371(c)(2)] a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> has been transmitted by the International Bureau. c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> A translation of the International Application into English [35 U.S.C. 371(c)(2)].</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)] a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)].</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)].</p> <p>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)].</p> <p>Items 11 - 16 below concern other document(s) or information included:</p> <p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98 (including search report).</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</p> <p>14. <input type="checkbox"/> A substitute specification.</p> <p>15. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>16. <input checked="" type="checkbox"/> Other items or information: IPER / Response to Communication (including Power of Attorney for P. Collins; Demand / Request for Change / Transmittal of Priority Documents (PCT/IB/304) / Response to Invitation to Correct Defects (including fifteen (15) sheets of formal drawings / copy of the application as filed (including specification; claims; and abstract) / Check No.</p>		

U.S. APPN NO (IF KNOWN) SEE 37 C.F.R. 1.50) not yet assigned 097926431		INTERNATIONAL APPLICATION NO. PCT/US00/06700	ATTORNEY DOCKET NO. 108172-00070	
		DATE: October 31, 2001		
<p>17. <input checked="" type="checkbox"/> The following fees are submitted:</p> <p>Basic National Fee [37 C.F.R. 1.492(a)(1)-(5)]: Search Report has been prepared by the EPO or JPO.....\$890.00 International preliminary examination fee paid to USPTO (37 C.F.R. 1.482):.....\$710.00 No international preliminary examination fee paid to USPTO (37 C.F.R. 1.482) but international search fee paid to USPTO [37 C.F.R. 1.445(a)(2)].....\$740.00 Neither international preliminary examination fee (37 C.F.R. 1.482) or international search fee [37 C.F.R. 1.445(a)(2)] paid to USPTO.....\$1,040.00 International preliminary examination fee paid to USPTO (37 C.F.R. 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4).....\$ 100.00</p>			CALCULATIONS	PTO USE ONLY
ENTER APPROPRIATE BASIC FEE AMOUNT =			\$ 710.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date [37 C.F.R. 1.492(e)].			\$	
Claims	Number Filed	Number Extra	Rate	
Total Claims	27 - 20 =	7	X \$ 18.00	\$ 126.00
Independent Claims	7 - 3 =	4	X \$ 84.00	\$ 336.00
Multiple dependent claim(s) (if applicable)			+ \$280.00	\$
TOTAL OF ABOVE CALCULATIONS =			\$ 1172.00	
Reduction by one-half for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 C.F.R. 1.9, 1.27, 1.28).			\$	
SUBTOTAL =			\$ 1172.00	
Processing fee of \$130.00 for furnishing the English translation after the <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date [37 C.F.R. 1.492(f)]. +			\$	
TOTAL NATIONAL FEE =			\$ 1172.00	
Fee for recording the enclosed assignment [37 C.F.R. 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property +			\$	
TOTAL FEES ENCLOSED =			\$ 1172.00	
			Amount to be refunded	\$
			Charged	\$
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$1172.00 to cover the above fees is enclosed. <i>Check # 328409</i></p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. 01-2300 in the amount of \$ to cover the above fee. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 01-2300.</p>				
<p>NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive [37 C.F.R. 1.137(a) or (b)] must be filed and granted to restore the application to pending status.</p>				
<p>SEND ALL CORRESPONDENCE TO: Arent Fox Kintner Plotkin & Kahn 1050 Connecticut Avenue, N.W. Suite 400 Washington, D.C. 20036-5339 Tel: (202) 857-6000 Fax: (202) 638-4810</p>				
 Richard J. Berrien Reg. No. 39,107				